

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8176

UNITED STATES OF AMERICA,
Plaintiff,

v.

Javier LEON-Serrato (1),
Maria Guadalupe GUERRERO-Godoy (2),
Defendants.

Magistrate Case No.:

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960
Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

Count I

That on or about February 24, 2008, within the Southern District of California, defendants Javier LEON-Serrato and Maria Guadalupe GUERRERO-Godoy did knowingly and intentionally import approximately 10.44 kilograms (22.97 pounds) of cocaine, a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

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Count II

That on or about February 24, 2008, within the Southern District of California, defendants Javier LEON-Serrato and Maria Guadalupe GUERRERO-Godoy did knowingly and intentionally import approximately 5.44 kilograms (11.97 pounds) of methamphetamine, a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Rudy Garcia, Special Agent
U.S. Immigration & Customs
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 26th,
DAY OF FEBRUARY 2008.


PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Javier LEON-Serrato (1)

4 Maria Guadalupe GUERRERO-Godoy (2)

5 STATEMENT OF FACTS

6 This statement of facts is based on the reports, documents, and notes
7 furnished to US Immigration and Customs Enforcement Special Agent Rudy Garcia.

8 On February 24, 2008 at approximately 1533 hours, Javier LEON-Serrato and
9 Maria Guadalupe GUERRERO-Godoy attempted to enter the United States from the
10 Republic of Mexico at the Calexico, CA, East Port of Entry. LEON was the driver and
11 registered owner of a 1997 Dodge Ram truck, bearing Baja California, Mexico license
12 plate number AM04720, and was accompanied by GUERRERO. LEON gave
13 Customs and Border Protection Officer (CBPO) Barnes a negative oral customs
14 declaration. CBPO Barnes noted that the rear tire well was freshly painted and the
15 tires were sprayed with armor all. CBPO Barnes also noticed that GUERRERO
16 avoided eye contact during questioning. CBPO Barnes referred the vehicle to
17 secondary inspection for further search.

18 In the vehicle secondary lot, a subsequent inspection of the vehicle revealed
19 16 packages concealed inside a non-factory floor compartment. Two different
20 packages were probed and a sample of a white powdery substance was obtained,
21 which field tested positive for cocaine. Another sample of a crystal-like substance
22 was obtained, which field tested positive for methamphetamine. The 16 packages
23 had a combined net weight of approximately 10.44 kilograms (22.97 pounds) of
24 cocaine and approximately 5.44 kilograms (11.97 pounds) of methamphetamine.

25 LEON was placed under arrest and advised of his Constitutional Rights, which
26 he acknowledged and waived, agreeing to answer questions. LEON admitted
27 knowledge of an unlawful substance in the vehicle, and stated he was to be paid
28 \$1,500 to drive the vehicle to Calexico.

29 LEON stated that GUERRERO was hired to be the passenger, so that they
appeared as a couple going shopping to the Wal-Mart store in Calexico.